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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

H 43

Application of: RUDDY et al.

Serial No.: 08/852,495

Group Art Unit: 1644

Filed: May 7, 1997

Examiner: DECLOUX, A.

For: POLYMORPHISMS IN THE REGION OF THE HUMAN HEMOCHROMATOSIS

Attorney Docket No.: 8907-057-999

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SECOND INFORMATION DISCLOSURE STATEMENT

FEB 1 9 2003

Commissioner for Patents Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

- 1. Enclosures accompanying this Information Disclosure Statement are:
 - 1a. A list of all patents, publications, applications, or other information submitted for consideration by the office.
 - 1b. A legible copy of:
 - □ Each U.S. patent application publication and U.S. and foreign patent;
 - Each publication or that portion which caused it to be listed on the PTO-1449;
 - □ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
 - all other information or portion which caused it to be listed on the PTO-1449.

 - 1d.

 Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
- 2. Mathia This Second Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):

- □ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- □ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- □ Before the mailing of the first Office action on the merits;
- Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- 3. □ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
 - 3a.

 The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
 - 3b. □ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
 - □ enclosed
 - □ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.
- 4. This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

- □ enclosed.
- □ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

- 5. \square Certification Statement (applicable if Item 3a or Item 4 is checked)
 - 5a.

 In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
 - 5b. □ In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 6. This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).
 - 6a. □ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.

	6b.		.	Copies of publications listed on Form PTO-1449 from prior application Serial No, filed on, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).			
	6c.		3	Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No., filed on, and are provided herewith.			
7.		This	This is a Supplemental Information Disclosure Statement.				
	7a.	C	3	This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statements filed on A bona fide attempt was made to comply with 37 C.F.R. §1.98, but an inadvertent omission of was made. The omitted references are submitted, and the error corrected herein. Accordingly, please supplement the previously filed Information Disclosure Statements of, with this Supplemental Information Disclosure Statement so that all the references can be considered, and the Information Disclosure Statement filed herein considered as if properly filed on			
8.		☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently underst be the relevance of each non-English language publication is:					
	8a.	C		satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.			
	8b.)	set forth in the application.			
	8c.		נ	enclosed as an attachment hereto.			
9.	⊠	over	pay	nmissioner is authorized to charge any additional fee required or credit any ment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds posit Account No. 16-1150 9order no. 8907-057-999).			
10.	⊠	mate repor	rial rt o	ission is made that the information cited in this Statement is, or is considered to be, to patentability nor a representation that a search has been made (other than a search f a foreign counterpart application or PCT International Search Report if submitted a). 37 C.F.R. §§1.97(g) and (h).			
Date	e	Febr	uar	Respectfully submitted, y 11, 2003 Birgit Millauer Jan Poissant for Prior M. Poissant (Pag. No. 28 462)			
				for: Brian M. Poissant (Reg. No. 28,462) PENNIE & EDMONDS LLP 1155 Avenue of Americas New York NY 10036-2720 (650) 493-4935			

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	ATTY, DOCKET NO.	APPLICATION NO.		
	8907-057-999	08/852,495		
TIST OF REFERENCES CITED BY APPLICANT	APPLICANT			
(Use several sheets if necessary)	RUDDY et al.			
	FILING DATE	GROUP		
FEB 1 1 2003 \$	May 7, 1997	1644		

U.S. PATENT DOCUMENTS									
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
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			FORE	FOREIGN PATENT DOCUMENTS					
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		OTHER	REFERENCES (Including Author, Title, Date, Pertinent Pages, E	tc.)		e		
	de Sousa, M., et al., "Iron Overload in β_2 -Microglobulin-Deficient Mice," Immun. Lett. (1994) 39:105-111 (0165-2478/94).								
	Rothenberg, B.E., et al., " β_2 Knockout Mice Develop Parenchymal Iron Overload: A Putative Role for Class I Genes of the Major Histomcompatibility Complex in Iron Metabolism," Proc. Natl. Acad. Sci. USA (1996) 93:1529-1534 (National Institutes of Health).								

EXAMINER	DATE CONSIDERED						
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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